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C O N F I D E N T I A L SECTION 01 OF 04 SANTO DOMINGO 005038

SIPDIS

STATE FOR WHA, WHA/CAR, INR/IAA; NSC FOR LATIN AMERICA  
ADVISOR; USSOUTHCOM ALSO FOR POLAD; FBI FOR DIRECTOR AND  
TIM MURPHY; DEPT OF JUSTICE FOR OIA

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TAGS: [DR](#) [PREL](#) [SNAR](#) [KJUS](#) [KPAO](#) [PINR](#) [CU](#) [VE](#) [HA](#) [CH](#) [CO](#)

SUBJECT: FBI DIRECTOR MUELLER MEETS WITH PRESIDENT  
FERNANDEZ ON LAW ENFORCEMENT ISSUES

Classified By: Ambassador Hans Hertell for reason 1.4 (b) and (d).

11. (C) Summary. President Fernandez told FBI Director Robert Mueller III during his October 24 visit to Santo Domingo that Venezuelan drug trade via the Dominican Republic to the United States was a "crime against humanity." The Ambassador,s suggestion that a high-level Dominican government team go to Caracas would be feasible, said Fernandez, if the delegation could carry declassified U.S. Government information to support the view that illegal drugs were being shipped from Venezuela to the Dominican Republic. Fernandez advocated a long-term commitment by the international community for peacekeeping and nation-building in Haiti. On Cuba, Fernandez said he expected Castro,s influence to be felt for many years after his demise, similar to Trujillo,s lingering effects in the political culture of the Dominican Republic nearly 45 years after the Dominican dictator,s death. For the Dominican Republic, Fernandez and his top advisors asked the FBI and other U.S. agencies to consider establishing streamlined bilateral information-sharing mechanisms, especially on Dominicans convicted of serious crimes in the United States who were later deported. They also sought a system in which Dominican convicts could finish out their sentences in the Dominican Republic. Fernandez urged the United States to restore traditional levels of public affairs activities and cultural exchanges, including scholarships. He invited President Bush to visit. End summary.

12. (SBU) President Fernandez hosted FBI Director Robert Mueller III for a luncheon conversation with Dominican law enforcement authorities October 24, during the first stop on the Director,s five-nation tour of Latin America. The principals met briefly before lunch and had an exchange with the press. Accompanying Fernandez were Chief of Staff Danilo Medina, presidential legal adviser Cesar Pina Toribio, Interior and Police Secretary Franklin Almeyda, intelligence director Major General Luis Damian Castro Cruz, Attorney General Francisco Domnguez Brito, and presidential drug advisor Vinicio "Vinch" Castillo (who is also the lawyer for the Baninter bank fraud defendants). Accompanying the FBI director were Ambassador Hertell, FBI special assistant Tim Murphy, Legatt Andy Diaz, an EcoPol notetaker and an FBI interpreter

Cuba, Venezuela, Haiti, China, and U.S. assistance  
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13. (C) Cuba. Fernandez mentioned that in the Dominican Republic the influence of Trujillo, assassinated in 1961, remained pervasive. Castro had been in power almost 50% longer than Trujillo. Fernandez said that Castroism had deeper roots than Trujillo,s personality cult because of the greater ideological content and the more extensive transformation of the Cuban state. He anticipated that the specter of Castro would remain in the mind and society of Cuba for many years - - at least as long as his 45 years in power. Legal Adviser Pina Toribio pointed to the example of the continuing influence in Argentina of Juan Peron. The Director, citing developments in China, noted the influence of information flows via the internet in pressing dictatorships for political change. Fernandez replied that the "digital divide" reduces the impact of the internet in countries like the Dominican Republic, where only 5% of the population uses the internet despite policies promoting computer literacy. But he agreed that eventually China would have to liberalize,

14. (C) Venezuela. Director Mueller raised U.S. Government concerns regarding illegal narcotics flows from Venezuela into the Dominican Republic. Fernandez offered his good offices to address the problem of interdicting drug flights from Venezuela. On this topic, the Venezuelan authorities might trust Fernandez more than they would trust U.S. authorities. Fernandez replied that if the U.S. Government could provide contacts, the Dominicans would like to send a high-level delegation to Venezuela to discuss this problem, which affects both the Dominican Republic and the United States. He would like to be able to share declassified U.S. Government information supporting the contention that drugs

are being flown into the country from Venezuela. He would ask the Venezuelan government to put a stop to it. Fernandez said the illegal drug flow was a "crime against humanity" that transcended politics. He believed the precedent of U.S.-Cuban cooperation in fighting illegal drugs, despite the political differences between the countries, might make President Chavez more receptive.

15. (C) Democracy promotion in Cuba and Venezuela. The Director suggested that the Dominican Republic could serve as a beacon to Cuba and Venezuela on the conduct of a representative democracy, on judicial independence, and on transformation of the criminal justice system. Fernandez replied that he was always willing to collaborate to promote constructive dialogue between the United States and Venezuela, but that this would require real engagement from both sides.

16. (C) Haiti. Fernandez commented that elections are important for Haiti, but are only a first step toward resolving the country's problems. Haiti is a failed state. The international community must remain involved. Haiti is a national security problem for both the United States and the Dominican Republic; with its corrupt police and lack of an army, Haiti has become a space from which various interests can cause problems for both countries. Director Mueller noted the presence of MINUSTAH, and Fernandez replied that MINUSTAH should stay - both to keep the peace and to promote nation-building. Mueller commented that the United States had domestic political limitations on support for additional nation-building overseas, and suggested that a multilateral approach would be more effective. He acknowledged U.S. skepticism about the effectiveness of multilateral institutions in intelligence-sharing.

17. (C) Deported Haitian criminals. Counter-narcotics advisor Vincho Castillo asserted that Haitians convicted in the United States and deported subsequently to Haiti were strengthening criminal networks and endangering democracy and security in both countries on Hispaniola. Attorney General Dominguez Brito agreed. He described Haiti as a bridge country serving as a point of transit for drugs and other types of trafficking. Dominguez Brito commented that deportations of Haitian convicts potentially posed threats to Haiti's democracy and to the security of the Dominican Republic.

18. (C) Development assistance and U.S. cultural programs. Fernandez agreed that multilateral efforts were better than unilateral ones and expressed hope that developed countries could meet a proposed goal of donating 0.7% of GDP in foreign assistance. He hoped the U.S. Government could do more public diplomacy and cultural activities, and, especially, could offer more scholarships. "If Cuba can take 10,000 students, why can't the United States double that number?" Fernandez mentioned that his request for forest fire assistance earlier this year had been rebuffed by most countries, but that Venezuela had responded. Fernandez acknowledged that his refusal to issue a declaration of emergency -- so as not to hurt tourism -- had been a factor. The Ambassador cited two hurricane emergencies in the region -- in Guatemala and previously in Honduras -- for which the United States had provided prompt and generous aid. Fernandez also urged the United States to restore previous levels of public affairs programs in education and culture, such as scholarships on a large scale, donations of books and films, speaker engagements at universities, and operation of cultural centers. He commented that such activities could help meet new, post-Cold War challenges to U.S. influence

Dominican deportees and law enforcement cooperation  
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19. (C) Deported Dominican criminals. Presidential anti-drugs advisor Vincho Castillo said that some years ago, during the Reno-McCaffrey period in Washington, the Dominicans had proposed to the U.S. Government a reciprocal prison assistance treaty under which the United States would set up a high security prison here run according to U.S. practices and standards, so that convicted Dominicans could serve out their sentences in the Dominican Republic. He asserted that many Dominicans convicted in the United States are deported back to the Dominican Republic after serving only one-third of their sentences. He said they bring back wealth, resources and a life style that help improve the techniques of the drug traffickers here. The returning convicts might get involved in politics and become candidates, including for Congress, raising the possibility of convicted drug traffickers making Dominican laws, a catastrophic situation. Castillo asked whether the FBI could help set up a program of police vigilance to help the Dominicans prevent such individuals from entering politics. The request was for logistical support to provide information.

110. (C) Response on deportees. Director Mueller replied that to his knowledge there were no rules that facilitated early

release of persons convicted of serious crimes. He noted the existence of prisoner transfer treaties with some countries. (Note: The Embassy had delivered much earlier Department guidance encouraging the country to accede to either of two multilateral prison transfer treaties. End note.) The Director said it might be possible to explore setting up an exchange of information on Dominicans convicted of serious crimes in the United States, so that they could be identified, monitored, and, if local law permitted, prevented from holding public office. The FBI database includes convictions in federal, state, and local jurisdictions, and there may be a way to cull the cases of Dominicans. The Legal Attache explained that a mechanism currently in place provided the Dominican police and immigration authorities with the names and criminal conviction records of the deportees for entry into local databases; the information was provided by the Department of Homeland Security (Immigration and Customs Enforcement - ICE).

11. (C) Identification. Attorney General Dominguez Brito said it was important to foster a streamlined mechanism to provide fingerprints and other means of identifying criminals. He noted that the Dominican Government was working with the Legal Attache on a specific case in this regard. A more rapid and efficient mechanism to exchange this kind of information would help both sides. He commented that a high percentage of Dominican deportees eventually returned to the United States, where they could become a concern to law enforcement authorities.

12. (C) Information sharing. Anti-narcotics advisor Castillo complained about a Dominican drug trafficker who had worked with the Cali cartel, was convicted in the United States, and after serving his time in a U.S. prison was deported to the Dominican Republic and started rebuilding his network with Cali. The Dominican Government had been unaware of his release and were surprised to see him in the country. The Director described his deep interest in improving the FBI's capability to gather intelligence on terrorism, narcotics trafficking, and violent crime. He offered to explore the possibility of sharing more information with the Dominican government.

13. (C) Interagency counter-narcotics cooperation. Fernandez commented that the Dominican authorities were trying to improve cooperation on drug issues between the anti-narcotics agency DNCD, the National Police, and the Directorate of Intelligence. The FBI Director empathized with the problem.

14. (C) Public defenders. The Director said that it was important to build a network of public defenders, and he encouraged the Dominican Attorney General to continue his work on this. In the United States, contrary to some criticisms, public defenders often performed very well because of their intense exposure to the courts.

Invitation to President Bush  
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15. (C) Suggestion of a Visit by President Bush. Fernandez asked for a visit by President Bush, for its symbolic importance in recognizing the Dominican Republic's progress as a model for other countries. Director Mueller said he would take that invitation back to Washington. Fernandez commented that U.S. presidents regularly visit big countries, but tend to visit small ones only in times of crisis. He noted that former President Bush and many Bush family members had visited the country, but that the current President has not done so.

16. (U) Embassy Santo Domingo Legal Attache has cleared this cable.

17. (U) FBI did not have an opportunity to clear this cable.  
HERTELL